

Approved as Submitted: March 2, 2005

**CITY OF MORGAN HILL
SPECIAL CITY COUNCIL MEETING
MINUTES – FEBRUARY 16, 2005**

CALL TO ORDER

Mayor Pro Tempore Tate called the special meeting to order at 6:03 p.m.

ROLL CALL ATTENDANCE

Present: Council Members Carr, Grzan, and Tate
Late: Mayor Kennedy (arrived at 6:09 p.m.) and Council Member Sellers (arrived at 6:20 p.m.)

DECLARATION OF POSTING OF AGENDA

City Clerk Torrez certified that the meeting's agenda was duly noticed and posted in accordance with Government Code 54954.2.

CLOSED SESSIONS:

Mayor Pro Tempore Tate announced the below listed closed session item:

1.

CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION

Authority:	Pursuant to Government Code 54956.9(a)
Case Name:	City of Morgan Hill, et al., v. American Alliance Always Available, et al.
Case Number:	Santa Clara County Superior Court, Case No. 1-03-CV-005788

OPPORTUNITY FOR PUBLIC COMMENT

Mayor Pro Tempore Tate opened the Closed Session item to public comment. No comments were offered.

ADJOURN TO CLOSED SESSION

Mayor Pro Tempore Tate adjourned the meeting to Closed Session at 6:04 p.m.

Mayor Kennedy joined the Council in closed session at 6:09 p.m. Council Member Sellers joined the Council in closed session at 6:20 p.m.

RECONVENE

Mayor Kennedy reconvened the meeting at 7:08 p.m.

CLOSED SESSION ANNOUNCEMENT

Acting City Attorney Siegel announced that the City Council gave authority to the City Manager and the City Attorney's Office to negotiate and conclude a settlement agreement in the case of the City of Morgan et al., v. American Alliance Always Available, et al.

ADJOURNMENT

There being no further business, Mayor Kennedy adjourned the special meeting at 7:10 p.m.

MINUTES RECORDED AND PREPARED BY:

IRMA TORREZ, CITY CLERK